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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ABHINAV BHATNAGAR,

Plaintiff

v.

JASON INGRASSIA, COUNTY OF
CONTRA COSTA, and CITY OF SAN
RAMON,

Defendants.

Case No. CV07-02669 CRB

STIPULATION AND [PROPOSED] ORDER
RE: PLAINTIFF'S BLOOD ALCOHOL
CONTENT AT 2:30 A.M. ON MAY 20,
2006: TESTIMONY OF PHLEBOTOMIST
JONATHAN YOUNG AND FORENSIC
TOXICOLOGIST STEPHANIE WILLIAMS

All parties, by and through their respective counsel, hereby stipulate that if Phlebotomist Jonathan Young were called to testify as a witness in the matter he would competently testify under oath to the following facts on the basis of his personal knowledge:

(1) On May 20, 2006, Phlebotomist Jonathan Young was dispatched to the San Ramon Police Department to perform a blood draw on a subject arrested by Defendant Ingrassia.

1 (2) On May 20, 2006, at approximately 2:30 a.m., Plaintiff Abhinav Bhatnagar
2 provided a blood sample at the San Ramon Police Department to Phlebotomist Jonathan
3 Young.

4 (3) The blood draw was done according to accepted protocols.

5 (4) Plaintiff Bhatnagar's blood was drawn into two vacuum sealed gray top vials and
6 placed in a tamper-proof envelope and sealed. Further, all parties, by and through their
7 respective counsel, hereby stipulate that if Forensic Toxicologist Stephanie Williams were
8 called to testify as a witness in the matter she would competently testify under oath to the
9 following facts:

10 (1) On May 31, 2006, Stephanie Williams, a licensed forensic toxicologist employed
11 by the Contra Costa County Sheriff's Office Crime Lab scientifically tested Plaintiff's blood
12 sample using the closed head gas chromatography method.

13 (2) Ms. Williams tested Plaintiff's blood in the regular course of her duties and the
14 equipment used to test Plaintiff's blood sample was in proper working order at time she tested
15 Plaintiff's blood sample. At the time that Ms. Williams received the blood evidence envelope
16 containing Mr. Bhatnagar's blood, there was no evidence of tampering.

17 (3) Ms. Williams tested Plaintiff's blood from one of the two vacuum sealed gray top
18 vials that were delivered to the Contra Costa County Sheriff's Office Crime Lab by the San
19 Ramon Police Department on May 24, 2006.

20 (4) Both gray top vials containing Plaintiff's blood were sealed at the time of receipt by
21 Ms. Williams for testing.

22 (5) Ms. Williams unsealed one of the sealed gray top vials to conduct the necessary
23 testing of Plaintiff's blood sample.

24 (6) The testing of Plaintiff's blood sample indicated that Plaintiff's blood alcohol
25 content at 2:30 a.m. on May 20, 2006 was 0.09% when reported to 2 digits, as required by
26 Title 17.

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3 (7) Attached as Exhibit ____ is a copy of the Report of Laboratory Examination
4 recording the test results of Plaintiff's blood sample pursuant to Title 17 of the California Code
5 of Regulations.

6 IT IS SO STIPULATED:

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8 JUSTICE FIRST, LLP

9 Date: November 25, 2008

10 /s/ Jenny Huang
11 JENNY C. HUANG
12 Attorneys for Plaintiff
13 ABHINAV BHATNAGAR

14 Date: November 25, 2008

15 /s/ Jivaka Candappa
16 JIVAKA CANDAPPA
17 Attorneys for Plaintiff
18 ABHINAV BHATNAGAR

19 Date: November 25, 2008

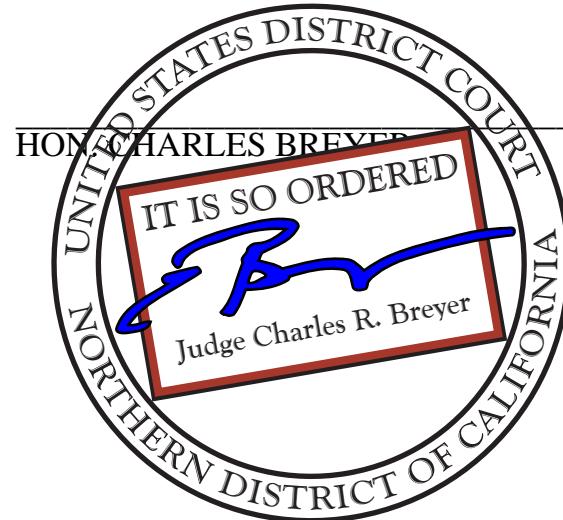
20 McNAMARA DODGE, et al.

21 Date: November 25, 2008

22 By: /s/ James Fitzgerald
23 JAMES FITZGERALD III
24 Attorneys for Defendant
25 JASON INGRASSIA

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27 PURSUANT TO STIPULATION IT IS SO ORDERED.
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1 Date: December 01, 2008
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